

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAMAR JORDAN,

Plaintiff,

v.

O. NORRIS, et al.,

Defendants.

Case No. 1:20-cv-00467-NONE-EPG (PC)

ORDER VACATING SETTLEMENT
CONFERENCE

(ECF Nos. 36 & 39)

On March 25, 2021, the Court set this case for a settlement. (ECF No. 36). On April 26, 2021, Defendants filed a notice opting out of an early settlement conference because, after reviewing “the allegations and available medical records, Defendants Dr. Norris, Dr. Anunciacion and Dr. Napoles,” do not believe a settlement conference would be productive before they receive a ruling on the motion for summary judgment they intend to file. (ECF No. 39, p. 2).

On October 14, 2020, the Court issued an Order Regarding Early Settlement Conference. (ECF No. 19). In the order, the Court directed Deputy Attorney General (“DAG”) Rohit Kodical (counsel for defendants Norris, Napoles, and State of California) to “either: (1) file a notice that Defendant(s) opt out of the settlement conference; or (2) contact ADR Coordinator Sujean Park (spark@caed.uscourts.gov) to schedule the settlement conference.” (*Id.* at 2).

DAG Kodical did not comply with this order, but the Court granted him additional time to do so. (ECF No. 26). After filing a notice opting out of the early settlement conference in the wrong case (E.D. CA, 2:20-cv-00652, ECF No. 5), DAG Kodical eventually filed the notice in the correct case. (ECF No. 29).

1 Defendants then agreed to participate in a settlement conference during the Eastern District's
2 Settlement Week. As Defendants agreed to participate in a settlement conference, the Court issued an
3 order setting a settlement conference. (ECF No. 36).

4 Defendants are now once again opting out of a settlement conference. As Defendants do not
5 believe a settlement conference would be productive at this time, the Court will vacate the settlement
6 conference.

7 However, it is worth noting that Defendants' changing positions has caused unnecessary
8 burden on the Court and the Alternate Dispute Resolution Coordinator.

9 Accordingly, IT IS ORDERED that the settlement conference is VACATED.¹

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11 IT IS SO ORDERED.

12 Dated: April 27, 2021

13 /s/ Eric P. Gray
14 UNITED STATES MAGISTRATE JUDGE

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¹ The Court may require the parties to participate in a settlement conference at a later stage in this case.